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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,730	01/02/2002	Robert M. Abrams	269/106 (cont.)	3733
7590	01/11/2005		EXAMINER	
DAVID T. BURSE BINGHAM MCCUTCHEN LLP THREE EMBARCADERO CENTER SUITE 1800 SAN FRANCISCO, CA 94111-4067			SCHNIZER, RICHARD A	
			ART UNIT	PAPER NUMBER
			1635	
DATE MAILED: 01/11/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

010705

DATE MAILED:

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Commissioner for Patents

The Examiner and Art Unit in charge of this Application have changed. Please direct further correspondence to Richard Schnizer, AU 1635.

The reply filed on 10/29/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment is not fully responsive. In order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. In amending in reply to a rejection of claims in an application or patent under reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. The applicant or patent owner must also show how the amendments avoid such references or objections. See MPEP 714.02 and 37 CFR 1.111. In this case, Applicant's response each rejection consists of the following two sentences: "Applicants have amended the claims, which renders the rejections moot. The examiner is requested to withdraw the rejection." Because Applicant has not distinctly and specifically pointed out the supposed errors in the examiner's action or clearly pointed out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited, the amendment is not fully responsive.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner(s) should be directed to Richard Schnizer, whose telephone number is 571-272-0762. The examiner can normally be reached Monday through Friday between the hours of 6:00 AM and 3:30. The examiner is off on alternate Fridays, but is sometimes in the office anyway.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, John Leguyader, be reached at 571-272-0760. The official central fax number is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent

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Richard Schnizer, Ph.D.